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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
KEVIN HENNESSY, Individually and On Behalf of  
All Others Similarly Situated,

Plaintiff,

-against-

TELIK, INC., MICHAEL M. WICK, CYNTHIA M.  
BUTITTA, UBS SECURITIES LLC, LEHMAN  
BROTHERS HOLDINGS, INC., and J.P. MORGAN  
SECURITIES INC.,

Defendants.  
-----X

5707  
07 Civ. 5705 (CM)

**STIPULATION  
AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties to  
this action through their undersigned counsel, as follows:

1. Counsel for defendants has agreed to accept service of the summons and  
complaint for defendants Telik, Inc, Michael M. Wick, and Cynthia M. Butitta (the  
"Defendants");
2. The time for the Defendants to answer, move or otherwise respond to the  
Complaint is adjourned *sine die*;
3. Lead Plaintiff shall file its Consolidated Amended Class Action Complaint  
("Amended Complaint") forty-five days (45) after the entry of an order appointing Lead  
Plaintiff;
4. The Defendants shall move or otherwise respond to the Amended  
Complaint within forty-five days (45) after service of the Amended Complaint;

ny-767749

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5. Should the Defendants file a Motion, rather than an Answer, Lead Plaintiff shall file its Opposition to any Motion to Dismiss with forty-five days (45) after the service of the Defendants' Motion to Dismiss; and

6. The Defendants shall file their Reply to Lead Plaintiff's Opposition to Defendants' Motion to Dismiss with thirty days (30) after service of Lead Plaintiff's Opposition.

7. No provision of this Stipulation and Order shall be construed as a waiver of, and Defendants expressly reserve any and all defenses, with the exception of defenses or objections related solely to service of process, which are hereby specifically waived pursuant to Rule 4 of the Federal Rules of Civil Procedure.

There has been no previous request for an extension of time in connection with this matter.

Dated: New York, New York  
July 30, 2007

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*Attorneys for Defendants*  
Telik, Inc., Michael M. Wick and Cynthia  
M. Butitta

**SO ORDERED:**

U.S.D.J.

7-31-07